

Bell Atlantic Network Services, Inc.
1133 Twentieth Street, N.W.
Suite 810
Washington, DC 20036
202 392-6979

Joseph J. Mulieri
Director – FCC Relations

EX PARTE OR LATE FILED

February 21, 1997

RECEIVED

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Ex Parte

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

Re: CC Docket 96-159, DA 97-109

Dear Mr. Caton:

On January 13, 1997, Bell Atlantic submitted a letter to you requesting LATA boundary relief for specific Bell Atlantic exchanges. The following additional information is submitted in support of the relief sought for those specific exchanges (information is indexed according to the exhibits contained in the January 13th submission):

- **Exhibit B:** The relief sought for the West Virginia Mason exchange is for one way calling to the GTE Johnstown exchange.
- **Exhibits C thru M*:** Attachment A depicts the number of access lines served by the exchange and the estimated number of messages and minutes on the route between the exchanges for which LATA boundary relief is being requested.

* Route message and minute data is estimated based on data provided by the serving interexchange carrier.

- **Exhibits C thru M:** Attachment B depicts the local exchange rate increases that will result from extending the local calling area.

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- **Exhibits C thru M:** Attachment C provides community of interest input from the Virginia State Corporation Commission regarding Exhibits C thru M. Pursuant to Virginia State Code, Section 56-484-2 (Attachment D), customers can petition to expand their local calling area to include an exchange that is contiguous to their current local service area. This process begins with a petition to the Virginia State Corporation Commission for expanded calling from 5% of the subscribers in an exchange. Customers in the petitioning exchange are always surveyed regarding their willingness to pay an increased monthly rate for expanded local calling. For the survey to pass, a majority of those responding must vote favorably. If the petitioning exchange survey passes, a similar process takes place for the reciprocating exchange. If the increase in the monthly rates is less than 5% of the residential flat unlimited service, customers will be notified via newspaper display advertising of rate increases and offered an opportunity to provide comments or request a hearing. If the increase is greater than 5%, all customers must be surveyed and a majority of those responding must vote favorably for passage. Both exchanges must favor the local calling expansion for the State Corporation Commission to consider approving implementation of the route. Petitions generally come from small exchanges who have a high community of interest to a larger exchange. The larger exchange is generally a center with regional medical, transportation, educational and commercial facilities essential to many subscribers in the smaller exchange.

I hope this information is helpful to the Commission as it reviews Bell Atlantic's request for LATA boundary relief. Should you have any questions please do not hesitate to contact me.

Sincerely,

Joseph Ruberi/mB

cc: G. Matisse
P. Gerr

ATTACHMENT A

Exhibit C - Honaker to Richlands*

Honaker Network Access Lines - 3460

Approximate annual messages/minutes - Honaker to Richlands

Messages 213,828

Minutes 916,129

Exhibit D - Waverly to Claremont*

Waverly Network Access Lines - 2102

Approximate annual messages/minutes - Waverly to Claremont

Messages 18,161

Minutes 75,733

**Exhibit E - Lynchburg to Stone Mountain
Stone Mountain to Lynchburg**

Lynchburg Network Access Lines - 66,528

Approximate annual messages/minutes - Lynchburg to Stone Mountain

Messages 399,168

Minutes 1,676,506

Stone Mountain Network Access Lines - 6,120

Approximate annual messages/minutes - Stone Mountain to Lynchburg

Messages 272,462

Minutes 1,555,786

Exhibit F - Hampton to Gloucester*

Hampton Network Access Lines - 70,683

Approximate annual messages/minutes - Hampton to Gloucester

Messages 148,434

Minutes 618,971

Exhibit G - Newport News to Gloucester*

Newport News Network Access Lines - 45,937

Approximate annual messages/minutes - Newport News to Gloucester

Messages 146,998

Minutes 612,983

Exhibit H - Peninsula to Gloucester*

Network Access Lines - Peninsula - 55,541

Approximate annual messages/minutes - Peninsula to Gloucester

Messages	306,031
Minutes	1,276,149

Exhibit I - Poquoson to Gloucester*

Network Access Lines - Poquoson - 5269

Approximate annual messages/minutes - Poquoson to Gloucester

Messages	26,714
Minutes	111,397

Exhibit J - Hampton to Hayes*

Network Access Lines - Hampton - 70,683

Approximate annual messages/minutes - Hampton to Hayes

Messages	130,057
Minutes	542,337

Exhibit K - Newport News to Hayes*

Network Access Lines - Newport News - 45,937

Approximate annual messages/minutes - Newport News to Hayes

Messages	131,839
Minutes	549,769

Exhibit L - Peninsula to Hayes*

Network Access Lines - Peninsula - 55,541

Approximate annual messages/minutes - Peninsula to Hayes

Messages	313,251
Minutes	1,306,258

Exhibit M - Poquoson to Hayes*

Network Access Lines - Poquoson - 5,269

Approximate annual messages/minutes - Poquoson to Hayes

Messages	24,132
Minutes	100,631

*** Exchanges served by GTE South**

ATTACHMENT B

Exhibit C - Honaker to Richlands*

ELS Rate Increase#

Residential

Flat Rate	\$0.95
Message Rate	\$0.24
Measured Rate	\$0.29
Exchange Only	\$0.84
Economy	\$0.11

Business

Flat Rate Line	\$4.60
Message Rate Line	\$0.03
Measured Rate Line	\$0.04
Flat PBX Trunk	\$8.04
Message Rate Trunk	\$0.03
Measured Rate Trunk	\$0.04

Exhibit D - Waverly to Claremont*

ELS Rate Increase

Residential

Flat Rate	\$0.16
Message Rate	\$0.10
Measured Rate	\$0.10
Exchange Only	\$0.14
Economy	\$0.06

Business

Flat Rate Line	\$0.60
Message Rate Line	\$0.12
Measured Rate Line	\$0.12
Flat PBX Trunk	\$0.96
Message Rate Trunk	\$0.12
Measured Rate Trunk	\$0.12

Exhibit E - Lynchburg to Stone Mountain

ELS Rate Increase

Residential

Flat Rate	\$0.09
Message Rate	\$0.06
Measured Rate	\$0.06
Exchange Only	\$0.08
Economy	\$0.04

Business

Flat Rate Line	\$0.34
Message Rate Line	\$0.09
Measured Rate Line	\$0.09
Flat PBX Trunk	\$0.52
Message Rate Trunk	\$0.09
Measured Rate Trunk	\$0.09

Stone Mountain to Lynchburg

ELS Rate Increase

Residential

Flat Rate	\$1.48
Message Rate	\$0.92
Measured Rate	\$0.91
Exchange Only	\$1.21
Economy	\$0.55

Business

Flat Rate Line	\$5.38
Message Rate Line	\$1.25
Measured Rate Line	\$1.28
Flat PBX Trunk	\$8.47
Message Rate Trunk	\$1.25
Measured Rate Trunk	\$1.28

Exhibit F - Hampton to Gloucester*

ELS Rate Increase

Residential

Flat Rate	\$0.07
Message Rate	\$0.05
Measured Rate	\$0.05
Exchange Only	\$0.07
Economy	\$0.03

Business

Flat Rate Line	\$0.27
Message Rate Line	\$0.06
Measured Rate Line	\$0.06
Flat PBX Trunk	\$0.43
Message Rate Trunk	\$0.06
Measured Rate Trunk	\$0.06

Exhibit G - Newport News to Gloucester*

ELS Rate Increase

Residential

Flat Rate	\$0.11
Message Rate	\$0.07
Measured Rate	\$0.07
Exchange Only	\$0.10
Economy	\$0.04

Business

Flat Rate Line	\$0.40
Message Rate Line	\$0.09
Measured Rate Line	\$0.09
Flat PBX Trunk	\$0.63
Message Rate Trunk	\$0.09
Measured Rate Trunk	\$0.09

Exhibit H - Peninsula to Gloucester*

ELS Rate Increase

Residential

Flat Rate	\$0.11
Message Rate	\$0.06
Measured Rate	\$0.06
Exchange Only	\$0.09
Economy	\$0.04

Business

Flat Rate Line	\$0.40
Message Rate Line	\$0.08
Measured Rate Line	\$0.08
Flat PBX Trunk	\$0.64
Message Rate Trunk	\$0.08
Measured Rate Trunk	\$0.08

Exhibit I - Poquoson to Gloucester*

ELS Rate Increase

Residential

Flat Rate	\$0.15
Message Rate	\$0.09
Measured Rate	\$0.09
Exchange Only	\$0.12
Economy	\$0.05

Business

Flat Rate Line	\$0.54
Message Rate Line	\$0.11
Measured Rate Line	\$0.11
Flat PBX Trunk	\$0.87
Message Rate Trunk	\$0.11
Measured Rate Trunk	\$0.11

Exhibit J - Hampton to Hayes*

ELS Rate Increase

Residential

Flat Rate	\$0.04
Message Rate	\$0.02
Measured Rate	\$0.02
Exchange Only	\$0.03
Economy	\$0.01

Business

Flat Rate Line	\$0.13
Message Rate Line	\$0.03
Measured Rate Line	\$0.03
Flat PBX Trunk	\$0.21
Message Rate Trunk	\$0.03
Measured Rate Trunk	\$0.03

Exhibit K - Newport News to Hayes*

ELS Rate increase

Residential

Flat Rate	\$0.06
Message Rate	\$0.04
Measured Rate	\$0.04
Exchange Only	\$0.05
Economy	\$0.02

Business

Flat Rate Line	\$0.21
Message Rate Line	\$0.05
Measured Rate Line	\$0.05
Flat PBX Trunk	\$0.33
Message Rate Trunk	\$0.05
Measured Rate Trunk	\$0.05

Exhibit L - Peninsula to Hayes*

ELS Rate Increase

Residential

Flat Rate	\$0.09
Message Rate	\$0.05
Measured Rate	\$0.05
Exchange Only	\$0.07
Economy	\$0.03

Business

Flat Rate Line	\$0.32
Message Rate Line	\$0.07
Measured Rate Line	\$0.07
Flat PBX Trunk	\$0.51
Message Rate Trunk	\$0.07
Measured Rate Trunk	\$0.07

Exhibit M - Poquoson to Hayes*

ELS Rate Increase

Residential

Flat Rate	\$0.10
Message Rate	\$0.06
Measured Rate	\$0.06
Exchange Only	\$0.08
Economy	\$0.04

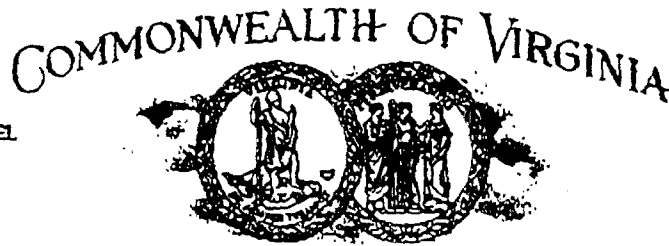
Business

Flat Rate Line	\$0.37
Message Rate Line	\$0.08
Measured Rate Line	\$0.08
Flat PBX Trunk	\$0.60
Message Rate Trunk	\$0.08
Measured Rate Trunk	\$0.08

***Exchange served by GTE South**

#ELS rate increase plus exchange rate regrouping

OFFICE OF THE GENERAL COUNSEL
P.O. Box 1197
Richmond, Virginia 23209-1197



Telephone Number (804) 371-9671
Facsimile Number (804) 371-9240

STATE CORPORATION COMMISSION

February 21, 1997

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Case No. CC Docket No. 96-159, Petitions for limited modification of LATA boundaries involving Nebraska, North Carolina, Ohio, Oregon, Pennsylvania, Texas, Virginia and West Virginia

Dear Mr. Caton:

Bell Atlantic-Virginia ("BA-VA") has furnished me a copy of the documents they intend to file today in the above styled and numbered case. Those documents demonstrate the community of interest for extended local service ("ELS") involving BA-VA's Honaker, Waverly, Lynchburg, Stone Mountain, Hampton, Newport News, Peninsula, and Poquoson exchanges. The information about these exchanges was compiled by local telephone company managers. We believe it accurately reflects the reasons customers in those areas sought ELS. This information bolsters my statements in my letter of January 28, 1997, that the Virginia State Corporation Commission ("SCC") has previously found, in each of its Final Orders entered for those exchanges, that the public interest would be served by offering ELS in lieu of toll service among those exchanges.


I would also like to reiterate my request from that letter that a waiver be granted for the interLATA ELS route between BA-VA's Waverly exchange and the Wakefield exchange of GTE South, Inc. This route was mandated by Virginia Code § 56-484.2 because customers petitioned for the route and then customers in each exchange voted for the route during the polling process. The

William F. Caton, Acting Secretary
February 21, 1997
Page Two

poll results that I submitted with my letter of January 28
reflect the level of customer support for this route.

Because the SCC has found all of the Virginia ELS routes
mentioned to be in the public interest, together with the Waverly
to Wakefield route, we ask that interLATA waivers be granted as
soon as possible.

Yours truly,


Robert M. Gillespie
Associate General Counsel

RMG:ncl

cc: Judge Clinton Miller
Alan R. Wickham
Pamela Gerr (By Fax)
FCC Common Carrier Bureau
Network Services Division
Joseph J. Mulieri (By Fax)
Director-FCC Relations
Bell Atlantic Networks, Inc.

Bell Atlantic - Virginia, Inc.
600 East Main Street
P.O. Box 27241
Richmond, Virginia 23261
804 772-1585
FAX 804 772-2143

Warner F. Brundage, Jr.
Vice President, General Counsel & Secretary

February 20, 1997

Robert M. Gillespie, Esquire
Associate General Counsel
Office of General Counsel
Virginia State Corporation Commission
Post Office Box 1197
Richmond, Virginia 23218

Dear Mr. Gillespie:

The Federal Communications Commission has requested that Bell Atlantic provide additional community of interest information, if available, in Case No. CC Docket No. 96-159. This information is similar to that provided by the Virginia State Corporation Commission ("SCC") to the Department of Justice on requests for interLATA ELS route waivers prior to the enactment of the Telecommunications Act of 1996.

Bell Atlantic - Virginia has developed this information for the petitioned routes in this case. Since the SCC has an active and vital interest in this case, copies of this information are enclosed for your office and the Communications Division.

Very truly yours,

Warner F. Brundage, Jr.

Enclosure

Copy to:
Mr. Alan R. Wickham

Additional Community of Interest Information

CC Docket No.96-159

File No. NSD-L-97-1

ELS Provisioning

The process used to determine if ELS will be provisioned between exchanges is mandated by Virginia State Code. The process includes a petition to the Virginia State Corporation Commission ("Commission") for ELS by five percent (5%) of the subscribers, and either surveys of subscribers in both exchanges or public notice to determine their preference for paying higher rates for expanded local calling privileges. The Code also mandates the criteria as to the number of respondents who must vote favorably. If all criteria are met, the Commission will direct the local exchange carrier (LEC) to implement ELS. When the two exchanges are separated by a LATA boundary, a waiver is needed to allow Bell Atlantic - Virginia, Inc. ("BA-VA") to provide the service.

Upon implementation of ELS, calling between the affected exchanges is changed from toll to local. Placing calls between the exchanges would be seven digit dialing like any other local call in Virginia.

Community of Interest Issues Between the Hampton, Newport News, Peninsula and Poquoson zones of the Newport News Metropolitan Exchange Area ("NNMEA") and GTE South's Gloucester and Hayes Areas

Gloucester and Hayes are two small rural exchanges serving approximately 9,000 and 6,300 customers respectively in Gloucester County in eastern Virginia. These exchanges are rapidly becoming "bedroom communities" for customers who work in the Newport News Metropolitan Exchange Area. The Gloucester and Hayes exchanges have no major industries, full service hospitals, major shopping malls, colleges, or regional commercial rail and air transportation facilities. The closest locations providing these facilities for Gloucester and Hayes customers are found in the Hampton, Newport News, Peninsula, and Poquoson zones of the Newport News Metropolitan Exchange Area (population 178,000). The provisioning of Extended Local Service between Gloucester and Hayes and the Newport News Metropolitan Exchange Area would provide an important local calling link to the closest area with major employment opportunities, essential commercial, transportation, and medical services. The NNMEA has major commercial and government facilities such as Langley Air Force Base, Fort Eustis, U.S. Naval Weapons Station, and NASA. The NNMEA has several hospitals, colleges and universities as well as commercial air and ground transportation.

ELS Provisioning Between the Gloucester and Hayes and the Hampton, Newport News, Peninsula and Poquoson zones of the Newport News Metropolitan Exchange Area

Telephone customers in GTE South's Gloucester and Hayes exchanges petitioned the Commission to provide ELS to BA-VA's Hampton, Newport News, Peninsula and Poquoson zones(exchanges). All Gloucester and Hayes customers were surveyed to determine their willingness to pay increased monthly rates to expand their local calling area to include Hampton, Newport News, Peninsula and Poquoson. Forty percent (40%) of the Gloucester customers responded to the survey. Of those customers responding, 82% were in favor of ELS. Forty six percent (46%) of the Hayes customers responded to the survey. Of those customers responding, 38% were in favor of ELS. BA-VA's Hampton, Newport News, Peninsula and Poquoson customers were notified by display advertising in local newspapers serving the area. Of the approximately 60,100 Hampton customers, forty five wrote to the Commission with thirty eight favoring calling to Gloucester and seven in opposition. In the case of calling from Newport News to Gloucester, there were fifty three responses with fifty in favor and three opposed. Newport news has approximately 39,500 customers. Of the approximately 46,500 Peninsula customers, eighty two wrote the Commission with seventy seven in favor and five in opposition to calling to Gloucester. In the case of calling from Poquoson to Gloucester there were fifteen responses with fourteen in favor and one opposed. Poquoson has approximately 4,800 customers. There was thirty eight positive and seven negative responses to the Hampton to Hayes public notice. There were ten positive and one negative response to the Newport News to Hayes public notice. Eighteen customers responded to the Peninsula to Hayes public notice. Seventeen customers were in favor and one was opposed. No comments were received from the Poquoson to Hayes public notice. These ELS routes have been approved by the Virginia State Corporation Commission. GTE South will begin providing ELS for Gloucester and Hayes customers on March 1, 1997.

Community of Interest Issues Between the Waverly and Claremont Areas

Claremont is a small rural exchange serving approximately 700 customers in the northwest corner of Surry County in central Virginia. The Claremont exchange has no major industries, medical specialty clinics, hospitals, shopping malls, colleges, or commercial transportation facilities. The closest locations providing these facilities for Claremont subscribers are the City of Hopewell located in the Hopewell exchange and the Town of Waverly (population 2,000) located in the Waverly exchange. Claremont already has ELS to Hopewell. The provisioning of Extended Local Service between Claremont and Waverly would provide an important additional local calling link to the closest community with essential commercial, transportation, and basic medical services.

ELS Provisioning Between the Waverly and Claremont Exchanges

Telephone customers in GTE South's Claremont exchange petitioned the Virginia State Corporation Commission to provide ELS to BA-VA's Waverly exchange. All Claremont customers were surveyed to determine their willingness to pay increased monthly rates to expand their local calling area to include Waverly. Thirty nine percent (39%) of the Claremont customers responded to the survey. Of those customers responding, 62% were in favor of ELS. BA-VA's Waverly customers were notified by display advertising in local newspapers serving the area. There was no opposition or requests for public hearing from Waverly customers. GTE South will begin providing ELS to its Claremont customers on March 1, 1997.

Community of Interest Issues Between the Stone Mountain and Lynchburg Areas

Stone Mountain is a geographically large rural exchange serving approximately 5700 customers in southern Bedford County in central Virginia. The Stone Mountain exchange has no major industries, medical specialty clinics, hospitals, shopping malls, colleges, or commercial transportation facilities. The closest locations providing these facilities for Stone Mountain customers are the City of Roanoke located in the Roanoke exchange and the City of Lynchburg (population 63,000) located in the Lynchburg exchange. Stone Mountain already has local calling to Roanoke. The provisioning of Extended Local Service between Stone Mountain and Lynchburg would provide an important additional local calling link to customers in the eastern half of the Stone Mountain exchange with essential commercial, transportation, and medical services available in Lynchburg. In addition to being a regional commercial center, Lynchburg has several colleges, two hospitals as well as air and ground transportation facilities.

ELS Provisioning Between the Stone Mountain and Lynchburg Exchanges

Telephone customers in BA-VA's Stone Mountain exchange petitioned the Commission to provide ELS to BA-VA's Lynchburg exchange. All Stone Mountain customers were surveyed to determine their willingness to pay increased monthly rates to expand their local calling area to include Lynchburg. Fifty three percent (53%) of the Stone Mountain customers responded to the survey. Of those customers responding, 61% were in favor of ELS. BA-VA's Lynchburg customers were notified by display advertising in local newspapers serving the area. There was no opposition or requests for public hearing from Lynchburg customers. This ELS route has been approved by the Virginia State Corporation Commission.

PRESTON C. SHANNON
CHAIRMAN
THEODORE Y. MORRISON, JR.
COMMISSIONER
JULIEN WILLIAMS MOORE
COMMISSIONER



WILLIAM J. BRIDGE
CLERK OF THE COMMISSION
P. O. BOX 1197
RICHMOND, VIRGINIA 23209-1197

STATE CORPORATION COMMISSION

December 12, 1995

Mr. Donald J. Russell, Chief
Communications Task Force
Department of Justice
Antitrust Division
555 4th Street, N.W.
Washington, D.C. 20001

Dear Mr. Russell:

As you know, the Virginia State Corporation Commission is charged by the Virginia Constitution and enabling statutes to regulate, among other things, telephone service in the Commonwealth. We are committed to ensuring that affordable local telephone service is available to meet the expanding community of interest needs of Virginia subscribers.

Currently, this Commission is dealing with the issue of providing local calling between Bell Atlantic - Virginia, Inc.'s (BA-VA) Honaker exchange and GTE South's (GTE) Richlands exchange. A solution to this issue is Extended Local Service (ELS) which is flat-rated, non-optional calling between the exchanges. BA-VA's Honaker exchange petitioned for ELS and a majority of subscribers, after being notified of the amount their rates would increase, voted favorably. Because of the de minimus increase to Richlands subscribers, a poll was not required by Virginia law. Instead they were given notice of the proposed increase and afforded an opportunity to comment or request a hearing. When none of the Richlands customers objected or requested a hearing, the Commission entered an order approving ELS between the two exchanges.

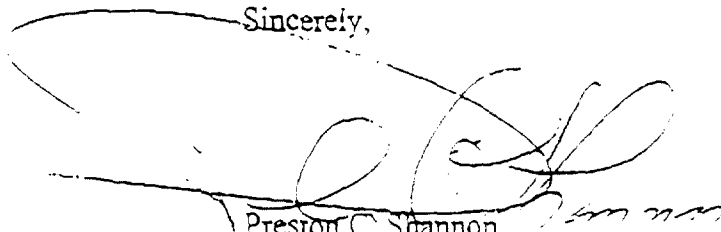
Implementation of ELS on this toll route requires a waiver to permit Bell Atlantic - Virginia to participate in the provisioning of non-optional local interLATA calling between the Honaker exchange located in the Roanoke LATA and the Richlands exchange located in the Bluefield, West Virginia Independent Market Area.

Mr. Donald J. Russell
Page 2
December 12, 1995

We respectfully request your review of this matter, and adoption of a recommendation to the United States District Court to grant this waiver.

The attachment to this letter explains the details of this request. The Director of our Communications Division, Mr. Edward C. Addison, (804) 371-9560, or his associate, Mr. Alan R. Wickham (804) 371-9674, can answer any questions regarding this matter.

Sincerely,



Preston C. Shannon
Chairman

PCS/ARW:js
Attachment

The Virginia State Corporation Commission (SCC) requests that Bell Atlantic - Virginia, Inc. (BA-VA) be allowed to participate in the provisioning of a non-optional service, called Extended Local Service (ELS), between its Honaker exchange located in the Roanoke, Virginia LATA and GTE South's (GTE) Richlands exchange located in the Bluefield, West Virginia Independent Market Area.

ELS Provisioning

The process used to determine if ELS will be provisioned between exchanges is mandated by Virginia State Code. The process includes a petition to the Commission for ELS by five percent (5%) of the subscribers, and either surveys of subscribers in both exchanges or public notice to determine their preference for paying higher rates for expanded local calling privileges. The Code also mandates the criteria as to the number of respondents who must vote favorably. If all criteria are met, the Commission will direct the local exchange carrier (LEC) to implement ELS. When the two exchanges are separated by a LATA boundary, a waiver is needed from the United States District Court to allow BA-VA, a Bell Operating Company, to provide the service.

Upon implementation of ELS, calling between the affected exchanges is changed from toll to local. Placing calls between the exchanges would be seven digit dialing like any other local call in Virginia.

Community of Interest Issues Between the Honaker and Richlands Areas

Honaker is a small rural exchange serving approximately 3100 customers in the northeast corner of Russell County in southwest Virginia. The Honaker exchange has no major industries, medical specialty clinics, hospitals, shopping malls, colleges, or commercial transportation facilities. The closest locations providing these facilities for Honaker exchange subscribers are the town of Richlands (population 4,500) which is in Tazewell County and served by GTE South's Richlands exchange and the town of Lebanon located in the Lebanon exchange. Honaker already has local calling to Lebanon. The provisioning of Extended Local Service from Honaker to Richlands would provide an essential local calling link between small communities in Russell County and commercial, medical, and educational centers.

ELS Provisioning Between the Honaker and Richlands Exchanges

Telephone customers in BA-VA's Honaker exchange petitioned the Commission to provide ELS to GTE's Richlands exchange. All Honaker customers were surveyed to determine their willingness to pay increased monthly rates to expand their local calling area to include Richlands. Fifty four percent (54%) of the Honaker customers responded to the survey. Of those customers responding, 90% were in favor of ELS. GTE's Richlands customers were notified by display advertising in local newspapers serving the area. There was no opposition from Richlands customers.

The Virginia State Corporation Commission's Position

This Commission, along with members of the Virginia General Assembly representing these customers, would like to resolve this calling problem. This proposal also has the endorsement of the Russell County Board of Supervisors. Therefore, the Commission respectfully requests the Department of Justice to concur in this request, and move the United States District Court to permit Bell Atlantic - Virginia, Inc. to provide ELS from its Honaker exchange to GTE - South's Richlands exchange.

BOARD OF SUPERVISORS
RUSSELL COUNTY VIRGINIA

P.O. BOX 1203 LEBANON, VIRGINIA 24266

October 30, 1995

Mr. Richard L. Settle, Area Manager
Bell Atlantic-Virginia
700 Virginia Avenue
Norton, Virginia 24273

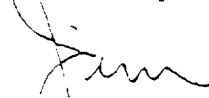
Dear Richard:

The Russell County Board of Supervisors endorse the proposal to provide local service calling from Honaker to Richlands.

This would provide a great benefit to the elderly of the Honaker area who are dependent on medical and other essential services provided in Richlands.

With kindest regards, I am

Sincerely,



James A. Gillespie
County Administrator

(Virginia State Code)

§ 56-484.2

PUBLIC SERVICE COMPANIES

§ 56-484.2

ARTICLE 4.

Extension and Reduction of Telephone Service

§ 56-484.2. Extension or reduction upon poll of certain subscribers.

– A. Upon petition of five percent but in no case less than twenty-five of the subscribers in an established telephone exchange for an extension or reduction of their local service area to include or exclude a contiguous local exchange or exchanges, or upon resolution of the governing body of a county for a countywide local service area, the Commission shall estimate the approximate change in the monthly rate for service which will result from such extension or reduction. In the case of a governing body resolution for countywide calling, the Commission, prior to estimating the approximate rate change, shall determine which exchanges within the county have a community of interest calling percentage that is fifty percent or greater in at least one direction to at least one other exchange within the county. The Commission shall then undertake to estimate the approximate change in the monthly rate for service that will result from such expanded local calling area for each such exchange. The Commission shall order the affected company or companies to poll those subscribers whose monthly rate for service would change if the proposed changes were adopted. However, polls shall not be required in the exchange or exchanges to which the petitioners desire an extension of local service if (i) any resulting rate increases in any twelve-month period do not, in the aggregate, exceed five percent of the existing monthly one-party residential flat rate service for the affected exchange to which the petitioners desire an extension of local service or (ii) any resulting rate increases in any twelve-month period, in the aggregate, exceed five percent solely due to rate regrouping. No more than one petition for a poll from the same group of subscribers or resolution from the governing body of a county shall be considered by the Commission during any three-year period. For purposes of determining the exchanges that will be polled pursuant to this subsection, *"community of interest calling percentage"* means the percentage of customers in an exchange that make one or more calls per month to another exchange within the county.

B. If a poll is required pursuant to subsection A and a majority of the subscribers are in favor of the proposed change, or if the Commission determines that a majority of subscribers voting are in favor of the proposed change, the Commission shall order the extension or reduction of their local service area. For the purposes of this section, the number of subscribers in an established telephone exchange shall be deemed to be the number of subscribers in an exchange as of January 1 of the calendar year when the petition is submitted to the Commission. Ballots polling subscribers on a proposed change in local service area shall be counted sixty days after being mailed and the results certified to the Commission.

C. If a poll is not required pursuant to subsection A, the Commission shall require notice to customers in exchanges in which polls are not required and shall convene a hearing on the proposed extension or reduction of the local calling area if the lesser of five percent or 150 of the customers within such exchanges request a hearing. The Commission may convene a hearing under this subsection on its own motion without regard to the number of customers who request a hearing.

D. Where the governing body of a county passes a resolution for a countywide local service area under subsection A and the poll for such service is defeated, the governing body shall reimburse the affected company or companies for the costs of the poll.

E. The Commission shall give the highest priority to petitions or resolutions presented under subsection A that involve exchanges in rural areas. (1976, c. 265; 1978, c. 232; 1985, c. 382; 1990, c. 339; 1993, c. 974; 1994, cc. 180, 347; 1995, c. 466.)

The 1994 amendments. – The 1994 amendment by c. 180, deleted the former next-to-last sentence in subsection A, which provided: "If subscriber polls are not required, the Commission shall proceed pursuant to the provisions of § 56-237.2"; and added subsection C.

1994 amendment by c. 347, in the first sentence of subsection B, deleted "that more than fifty percent of the subscribers have voted in the pool and" following "determines," and substituted "subscribers" for "those."

The 1995 amendment, in subsection A, inserted "or upon resolution of the governing body of a county for a countywide local service area" in the first sentence; added the present second and third sentences; inserted "or resolution from the governing body of a county" in the present sixth sentence, and added the seventh sentence; and added subsections D and E.